(4)

Division Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 6461 OF 2005

Single Bench
Division Bench

PETITIONERS : 1. Jaipal Hinduja, son of Shri Udhomal Hinduja, aged about 35 years, Corporator, Sant Kanwar Ram Ward, Municipal Council, Tilda-Nevra, District Raipur.

2. Surendra Das Vaishnav, son of Shri Mohan Das Vaishnav, aged about 29 years, Corporator, Bal Gangadhar Tilak Ward, Municipal Council, Tilda-Nevra District Raipur

P.R. No. 6508/05 Presented by: B.P. Sharma dated 21/12/05

Vs

RESPONDENTS : 1. State of Chhattisgarh, through the Secretary, Ministry of Revenue, D.K.S. Bhawan, Raipur.

2. The Collector, Raipur.

3. The Sub Divisional Officer (Revenue), Raipur.

4. The Tehsildar, Tilda Nevra, District Raipur.

5. The Municipal Council, Tilda Nevra, through the Chief Executive Officer, Tilda-Nevra, District Raipur.

6. Agarwal Samaj, through

RECEIVED-COPY 21/12/05 CLERK to A. G. BILASPUR

(5)

the President Shri Shyam Sundar Agarwal, Tilda Nevra, District Raipur.

7. Shri Brijmohan Agarwal, Minister of Revenue, Law, Tourism & Culture in State Government, D.K.S. Bhawan, Raipur.

WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA

(84)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P No. 6461 **सन्** 2005

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH
HON'BLE SHRI V.K. SHRIVASTAVA &
HON'BLE SHRI DHIRENDRA MISHRA, JJ

05.01.2007

Shri BP Sharma, counsel for the petitioners.

Shri Utkarsh Verma, Dy GA for the State.

Shri Prateek Sharma, counsel for respondent No.6.

Some piece of land out of Khasra No.253/1 at Tilda Nevra was kept reserved for construction of Tehsil Office; but respondent No.6 attempted to encroach 35,000 sq ft out of the said land. He also filed an application for allotment of the same free of cost. Therefore, this petition has been filed for restraining State Authority from allotting the said piece of land to any person or any community and further to direct the State Authority to allot funds for construction of Tehsil Office.

In view of the return filed by the State duly supported with an affidavit and document, it is evident that allotment proceedings have been dropped and encroachment has been removed. There is no material to disbelieve the said averment. So far direction to provide fund for construction of Tehsil Office is concerned, it is the domain of the State, and we do not find any justification to interfere.

Petition is disposed of. However, security amount deposited by the petitioners should be returned to them.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Dhirendra Mishra
Judge

(पीछे देखिये)